

Appl. No. 10/616,528

Attorney Docket No. 10541-1847

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-11 remain pending.

Further Claim Clarifications

Prior to discussing the references, it is believed that a brief discussion on the current form of the independent claim of this application is warranted. The original independent claim of this application has been amended to clarify, more particularly to point out and distinctly claim that which applicant regards as the subject matter of the present invention. Specifically, the claim now recites that the central axis is located within the central compartment.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-5, 10 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,204,806 to Sasaki et al. ("Sasaki") in view of U.S. Patent No. 4,756,644 to Williams ("Williams"). Applicant respectfully traverses this rejection.

The Examiner states that Sasaki discloses a microelectronic package having a housing including a cylindrical wall defining a central axis, the cylindrical wall having a outer surface and an inner surface, a compartment between the inner surface and central axis. Furthermore, the Examiner states that the inner surface of

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- 5 -

Appl. No. 10/616,528

Attorney Docket No. 10541-1847

the wall forms an assembly support surface for a microelectronic assembly and that this support surface of the inner wall faces the central axis.

As stated previously, claim 1 has been amended to recite that the central axis is located within the central compartment. A careful reading of Williams will reveal that the central compartment 5 is between the inner surface and the central axis. However, the central axis of Williams is not located with the central compartment 5.

In that Sasaki fails to disclose or suggest the element which was previously noted as being absent, it must be concluded that the combination of Sasaki in view of Williams cannot render the claims of the present application as obvious. The rejection under § 103 is therefore improper and should be withdrawn.

Additionally, when making a rejection under 35 USC §103, the cited references must provide some motivation, suggestion or teaching to render the claims of the present invention as obvious. The Examiner states that Sasaki fails to show the at least one axial channel interposed between the inner and outer surfaces of the wall. Additionally, the Examiner states that Williams teaches at least one axial channel interposed between the inner and outer surfaces of the wall of a housing and a flange, respectively.

The present claimed invention includes both a central compartment between the inner surface and the central axis, the central axis being located within the central compartment, and at least one axial channel interposed between the outer surface and the inner surface. If one combines Sasaki and Williams, the central compartment 5 of Sasaki and the axial channel 34 of Williams would be placed in the same location, rendering the combination inoperable. Therefore, neither reference provides any suggestion or motivation for making this combination. The only

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- 6 -

Appl. No. 10/616,528

Attorney Docket No. 10541-1847

motivation hinted is in the present application itself. However, the present application cannot be the source of the required motivation because such a reconstruction of the invention is improper. The requisite motivation is not provided and therefore, the rejection under 35 USC §103 thereon should be withdrawn.

With respect to claims 2-11, these claims are dependent on claim 1 and are patentable for at least the same reasons as given above in support of claim 1. Accordingly, allowance of these claims is respectively requested.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Date


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Attachments:



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- 7 -